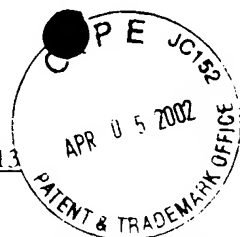


Docket No.: CI-0013



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
Wilson BURGESS et al. :
Serial No.: 10/024,043 : Group Art Unit: 1636
Filed: December 21, 2001 : Examiner: Not yet assigned
For: METHODS OF STERILIZING :
HEART VALVES :

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits. No certification or fee is required. 37 C.F.R. §1.97(b).
- X 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(c)(1).

— b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

X c. Attached is our check no. 3215 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

— 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).

— a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

— b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

X 4. The relevancy of the non-English language references can be determined from the attached abstracts.

X 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



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Date: April 5, 2002

MLF:DRM:kpc

LIST OF PRIOR ART CITED BY APPLICANT



PTO-1449)

ATTY. DOCKET NO.
CI-0013APPLN. SERIAL NO.
10/024,043APPLICANT
Wilson BURGESS et al.FILING DATE
December 21, 2001GROUP
1636

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U/H	RE 23,195	02/1950	Arno Brasch			
↑	2,832,689	04/1958	Bernard E. Proctor et al.			
	2,920,969	01/1960	E.S. Stoddard			
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						Yes	No
U/H	2,056,619	10/1991	Canada				
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	334 679	09/1989	Europe				
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U/H	919 918 A3	06/1999	Europe (Abstract)			X	

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	Ozan Akkus et al., Fracture Resistance of Gamma Radiation Sterilized Cortical Bone Allografts, 2001, pps. 927-934, Journal of Orthopaedic Research, Vol. 19
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VA	4,370,264	01/1983	Kotitschke et al.			
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						Yes	No
VA	11-216147	08/1999	Japan (Abstract)			X	
	1321420-A	07/1987	Soviet Union (Abstract)			X	
	WO 90/00907	02/1990	PCT Int'l (Abstract)			X	
	WO 91/16060	10/1991	PCT Int'l (Abstract)			X	
VA	WO 95/03071	02/1995	PCT Int'l (Abstract)			X	

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✓	5,226,065	07/1993	Held et al.			
	5,362,442	11/1994	Kent			
	5,418,130	05/1995	Plat. et al.			
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						Yes	No
✓	WO 00/25839	03/2000	PCT Int'l (Abstract)			X	
↑	WO 01/08611A1	02/2001	PCT Int'l (Abstract)			X	
	WO 01/12318A1	02/2001	PCT Int'l (Abstract)			X	
↓	WO 01/32107A2	05/2001	PCT Int'l (Abstract)			X	
✓	WO 01/32110A2	05/2001	PCT Int'l (Abstract)			X	

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✓A	5,837,313	11/1998	Ding et al.			
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✓A	6,171,549	01/2001	Kent			

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FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
✓A	WO 01/45720A1	06/2001	PCT Int'l (Abstract)			X	
✓A	WO 01/49219A1	07/2001	PCT Int'l (Abstract)			X	
	WO 01/72233A1	10/2001	PCT Int'l (Abstract)			X	
✓	WO 01/72244A1	10/2001	PCT Int'l (Abstract)			X	
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	Seymour S. Block, Disinfection, Sterilization, and Preservation, Fundamental Principles of Activity Principles of Antimicrobial Activity, Fourth Edition, 1991, pps. 31-33						
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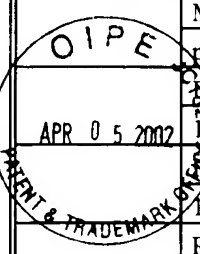
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